

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

WAPP TECH LIMITED PARTNERSHIP
AND WAPP TECH CORP.,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 4:21-cv-00671-ALM

**PARTIES' JOINT MOTION FOR
EXTENSION OF TIME TO RESPOND AND REPLY TO
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendant Wells Fargo Bank, N.A. ("Wells Fargo" or "Defendant") and Plaintiffs Wapp Tech Limited Partnership and Wapp Tech Corp. ("Wapp" or "Plaintiffs") respectfully request that the Court extend the deadline to file (1) Wells Fargo's Response to Amended Motion for Partial Summary Judgment on Invalidity Defense Regarding the '192, '678 and '864 Patents ("Motion for Partial Summary Judgment") (Dkt. 47); and (2) Plaintiffs' reply to same.

1. The current deadline for Wells Fargo to respond to the Motion for Partial Summary Judgment is April 27, 2022.
2. Wells Fargo seeks an extension to file their response on April 29, 2022.
3. The current deadline for Plaintiffs to reply to the Motion for Partial Summary Judgment is May 4, 2022, or May 6, 2022 with Wells Fargo's requested extension.
4. Plaintiffs are seeking an extension to file their reply on May 10, 2022.
5. This extension is not being sought for the purposes of delay, but to allow Wells Fargo and Plaintiffs time to meaningfully brief Plaintiffs' Motion for Partial Summary Judgment.

This is the first extension sought.

6. The Parties have conferred and the relief requested is unopposed.

RELIEF REQUESTED

Accordingly, Wells Fargo respectfully requests that this Court grant this Motion and Extend the deadline to file Wells Fargo's response to Wapp's Motion for Partial Summary Judgment to April 29, 2022 and for Wapp to file its reply to May 10, 2022.

Dated: April 25, 2022

/s/ Scott W. Clark

Scott W. Clark

Texas Bar No. 24007003

sclark@azalaw.com

Brian E. Simmons

Texas Bar No. 24004922

bsimmons@azalaw.com

Justin Chen

Texas Bar No. 24074024

jchen@azalaw.com

Kyung (Drew) Kim

Texas Bar No. 24007482

dkim@azalaw.com

Masood Anjom

Texas Bar No. 24055107

manjom@azalaw.com

AHMAD, ZAVITSANOS &

MENSING P.C.

1221 McKinney Street, Suite 2500

Houston, TX 77010

Telephone: 713-655-1101

Facsimile: 713-655-0062

Leslie V. Payne

State Bar No. 0784736

lpayne@hpcllp.com

R. Allan Bullwinkel

State Bar No. 24064327

abullwinkel@hpcllp.com

Christopher L. Limbacher

State Bar No. 24102097

Respectfully submitted,

/s/ Katrina G. Eash

Thomas M. Melsheimer

Texas State Bar No. 13922550

TMelsheimer@winston.com

Katrina G. Eash

Texas State Bar No. 24074636

KEash@winston.com

WINSTON & STRAWN LLP

2121 N. Pearl Street, Suite 900

Telephone: (214) 453-6500

Facsimile: (214) 453-6400

Elizabeth Danielle T. Williams

North Carolina State Bar No. 23283

DWilliams@winston.com

WINSTON & STRAWN LLP

300 South Tryon Street, 16th Floor

Charlotte, NC 28202

Telephone: (704) 350-7790

Facsimile: (704) 350-7800

Attorneys for Defendant

WELLS FARGO BANK, N.A.

climbacher@hpcellp.com
HEIM PAYNE & CHORUSH, LLP
1111 Bagby St., Suite 2100
Houston, Texas 77002
Telephone: (713) 221-2000
Facsimile: (713) 221-2021

J. Michael Young
SBN 00786465
myoung@somlaw.net
Roger D. Sanders
SBN 17604700
rsanders@somlaw.net
SANDERS, MOTLEY, YOUNG &
GALLARDO,
PLLC
111 South Travis Street
Sherman, Texas 75090
(903) 892-9133
(903) 892-4302 (fax)

**ATTORNEYS FOR PLAINTIFFS
WAPP TECH LIMITED
PARTNERSHIP AND WAPP TECH
CORP.**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed with the Clerk of the Court via the CM/ECF filing system on April 25, 2022, which provided notification of same on all counsel who are deemed to have consented to electronic service.

/s/ Katrina G. Eash
Katrina G. Eash